

Summary of the Enhanced Border Security Act of 2001
Introduced by Congressman Conyers, Congressman Cannon,
Congressman Berman and Congressman Graves

The Enhanced Border Security Act will strengthen the security of our borders and enhance our ability to deter potential terrorists.

One of the main goals of this legislation is to improve coordination and information-sharing by the State Department, the Immigration and Naturalization Service, and law enforcement and intelligence agencies. Building on the progress made by the anti-terrorism bill to provide the INS and State Department with access to FBI information, this legislation directs the State Department, the INS and the Director of Central Intelligence to work with the Office of Homeland Security and the newly created Foreign Terrorist Tracking Task Force, to devise and implement a plan to provide the State Department and the INS with greater access to intelligence and law enforcement information from the CIA, NSA, DIA and other intelligence agencies. This plan will be developed and implemented in consultation with the appropriate congressional committees, and will provide information critical to the State Department and the INS in their efforts to identify and intercept terrorists.

Improving the resources, training, and technology available to our border personnel is also critical. This legislation waives the limitation on the hiring of full-time personnel, giving greater control to decision makers at the border; it raises the pay of INS border personnel; and it provides customs agents and border patrol with essential training and cross-training. Funds are authorized to improve the screening of visa applicants and to enhance technology available to the INS and Customs Service. To offset the costs of such improvements, the INS is authorized to increase land border fees and the State Department is authorized to raise fees from the use of machine-readable visas.

By enhancing our efforts to screen passengers to the U.S. at their ports of departure, we can improve the security of our North American perimeter. To achieve this goal, the State Department and the INS, in consultation with the Office of Homeland Security and the Task Force, are required to conduct a comprehensive study to determine how best to screen travelers to the United States, Canada, and Mexico.

We must also strengthen our ability to monitor foreign nationals in the United States. This legislation gives greater direction to the INS for implementing an integrated entry and exit data system. Consideration should be given to integrating the North American perimeter program, implementing a technology standard for confirming identities, using biometric identifiers, and requiring machine-readable visas and passports.

Foreign service officers are a primary defense in the fight against terrorism. In addition to the training they currently receive to detect persons likely to overstay their visas, this legislation requires that they must be trained specifically to identify potential terrorists. As another precaution, the State Department is prohibited from issuing visas to foreign nationals from countries that sponsor terrorism, unless appropriate clearances are performed.

The anti-terrorism bill improved the monitoring of foreign students and exchange visitors, but gaps still exist. This legislation requires that the student monitoring program collect additional information on the status of foreign students in the U.S. It also improves the reporting requirements placed on the INS, the State Department and educational institutions. In addition, it requires the INS, in consultation with the Department of Education, to periodically review institutions enrolling foreign students and receiving exchange visitors, to ensure that they adhere to the mandated reporting and record-keeping requirements.

INS currently has difficulty retaining well-qualified inspectors at our borders. By giving the same retirement benefits to these individuals as other law enforcement personnel, this legislation provides an incentive that will help INS keep trained personnel.

Biometric technology can significantly improve the security of our borders by reducing the possibility of fraud. The Department of State has the ability to issue biometric border-crossing cards. Many persons crossing our borders have received such cards, but because INS does not have the machines needed to read the cards, the system is not adequate. In addition, the deadline for allowing persons to purchase the cards has passed. Funds are authorized by the legislation to enable INS to purchase the machines needed to read the cards, and the deadline for purchasing the cards is extended.

When planes land at our airports, inspectors are now under excessive time constraints to clear the planes and ensure the safety of all departing passengers. The legislation removes the existing 45 minute deadline, and provides inspectors with additional time to clear and secure aircraft.